

CHECKLIST ENVIRONMENTAL ASSESSMENT

Project Name: Fisher Industries Haul Road
Proposal LUL #8581

Proposed Implementation Date: Spring 2008

Proponent: Fisher Industries: 1066 Hwy 10 West , Livingston, MT 59047 (406) 657-9603

Type and Purpose of Action: To haul approximately 70,000 cubic yards of aggregate across 3400' of trust lands. The mine will be located ½ mile south on deeded land. (See attached maps for illustration.) The aggregate source will be used for the construction of a large scale electrical wind generating project.

Location: T32N – R4W – Sec 31
(Common School)

County: Toole

I. PROJECT DEVELOPMENT

- | | |
|---|--|
| 1. PUBLIC INVOLVEMENT, AGENCIES, GROUPS OR INDIVIDUALS CONTACTED: Provide a brief chronology of the scoping and ongoing involvement for this project. | MDNRC: Mineral Owner, Surface Owner
Marias Land & Livestock: Surface Lessee |
| 2. OTHER GOVERNMENTAL AGENCIES WITH JURISDICTION, LIST OF PERMITS NEEDED: | None: |
| 3. ALTERNATIVES CONSIDERED: | Deny The Request |

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

RESOURCE	[Y/N]	POTENTIAL IMPACTS
	N = Not Present or No Impact will occur. Y = Impacts may occur (explain below)	
4. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are fragile, compactable or unstable soils present? Are there unusual geologic features? Are there special reclamation considerations? Are cumulative impacts likely to occur as a result of this proposed action?	[Y]	This proposal would take place within a lower pediment structure above the Marias River. The pediment has a very gentle grade, on the order of 2 %. The soil cover is very thin, and consists of very light silty textures. Below the soil profile is an aggregate seam of variable thickness. Geomorphic process would be fluvial deposition. Reclamation will require re-contouring any cuts, grading back the soil profile, and re-establishment of the original vegetation. Noxious weed monitoring will be strictly enforced. Persistent, periodic on-site visits will be implemented by the

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

	department to insure that no weed establishments are developed.
5. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality? Are cumulative impacts likely to occur as a result of this proposed action?	[N] Ground water and surface water will not be affected as a result of this project.
6. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I air shed)? Are cumulative impacts likely to occur as a result of this proposed action?	[Y] There will be an increase in dust emissions resulting from an influx of truck and equipment traffic.
7. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be permanently altered? Are any rare plants or cover types present? Are cumulative impacts likely to occur as a result of this proposed action?	[Y] Vegetation will be removed and stock piled with the soil profile. After road establishment, re-establishment of the vegetative community will be required. There are no rare plants within the proposed area.
8. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish? Are cumulative impacts likely to occur as a result of this proposed action?	[N] This area is not heavily utilized by wildlife, birds, or fish. Cumulative impacts are not anticipated.
9. UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Sensitive Species or Species of special concern? Are cumulative impacts likely to occur as a result of this proposed action?	[N] There are no federally listed endangered species identified.
10. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[Y] The department archaeologist and DNRC staff conducted a MEPA review for this area in the spring of 1999. There were several rock circles identified within the area. However, the haul road route is free of any identified cultural sites.
11. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light? Are cumulative impacts likely to occur as a result of this proposed action?	[N] This proposal is not located on a prominent topographic feature. The proposal lies within the lower margin of the Marias River Breaks.
12. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project? Are cumulative impacts likely to occur as a result of this proposed action?	[N] This project is proposed within marginal grazing land. This proposal will eliminate approximately 1 animal unit from the leased forage base.
13. OTHER ENVIRONMENTAL DOCUMENTS PERTINENT TO THE AREA: Are there other studies, plans or projects on this tract? Are cumulative impacts likely to occur as a result of other private, state or federal current actions w/n the analysis area, or from future proposed state actions that are under MEPA review (scoping) or permitting review by any state agency w/n	[N] There are no other studies, plans, or projects within this tract of land.

II. IMPACTS ON THE PHYSICAL ENVIRONMENT

the analysis area?

III. IMPACTS ON THE HUMAN POPULATION

RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
14. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] This project will not add to the health and safety of the area.
15. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[Y] The project may intervene with the grazing system of the lessee. This tract will most likely have to be rested for the 2008 grazing year due to this proposal.
16. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number. Are cumulative impacts likely to occur as a result of this proposed action?	[Y] This project will create several jobs. The project will require several operators, truck drivers, surveyors, flaggers, and engineers.
17. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue? Are cumulative impacts likely to occur as a result of this proposed action?	[Y] This project will create substantial tax revenue.
18. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc) be needed? Are cumulative impacts likely to occur as a result of this proposed action?	[Y] This project will add substantial traffic to the area. Removal of 70,000 cubic yards of material will require a tremendous amount of truck traffic. Cumulative impacts will be an increase in noise and dust resulting from mine activity and trucking.
19. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] There are no zoning plans in affect.
20. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract? Are cumulative impacts likely to occur as a result of this proposed action?	[N] No wilderness, nor recreational areas are accessed through this tract.
21. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing? Are cumulative impacts likely to occur as a result of this proposed action?	[N] This project will not add to the population of the area.
22. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] This project will not disrupt the native or traditional lifestyles of the area.
23. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[Y] This project will indirectly alter the landscape of the area due to a large volume of proposed windmill generators, power lines, and service roads.

24. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES: Is there a potential for other future uses for easement area other than for current management? Is future use hypothetical? What is the estimated return to the trust. Are cumulative impacts likely to occur as a result of this proposed action?

[N] Future uses are hypothetical. There is potential for wind generating sites, power line easements, and aggregate requirements. Estimated return to the trust at this point is LUL revenue for the haul road.

EA Checklist Prepared By: Steve Dobson
Name

LUS Conrad Unit
Title

Date: 4-1-08

IV. FINDING

25. ALTERNATIVE SELECTED:

Approve LUL 8581

26. SIGN4IFICANCE OF POTENTIAL IMPACTS:

The applicant is applying for temporary use of an existing road across state land which will be used to haul gravel from a pit located on private land. The project will require road improvements including widening the road, blading and water drainage. Noxious weeds will be monitored and controlled by the applicant. Following road use the road will be reclaimed to preexisting conditions and reseeded to native vegetation. No archaeological sites were observed within the project area. The surface lessee has agreed to the access. The applicant will pay the school trust \$3,000.00 for use of this road.

27. Need for Further Environmental Analysis:

☐ EIS ☐ More Detailed EA ☒ No Further Analysis

EA Checklist Approved By: Erik Eneboe
Name

Conrad Unit Manager - CLO
Title

/S/ ERIK ENEBOE
Signature

April 15,2008
Date